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 Facsimile No.: (571) 273-8300 Date: February 13, 2007  
 From: William W. Schaal, Reg. No. 39,018  
 Our Docket No.: 80398P560 Number of pages 3 including this sheet.  
 Application No.: 10/815,484 Filing Date: 3/31/2004  
 Docket Due Date(s): 2/13/2007

Enclosed are the following documents:

- |  |   |
|--|---|
| <input type="checkbox"/> Amendment: _____ ( _____ pgs)                         | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief ( _____ pgs)                             | <input checked="" type="checkbox"/> Notice of Appeal                              |
| <input type="checkbox"/> Application: _____<br>( _____ pgs) w/cover & abstract | <input type="checkbox"/> Petition for: _____                                      |
| <input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)                 | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Certificate of _____                                  | <input type="checkbox"/> Reply Brief ( _____ pgs)                                 |
| <input type="checkbox"/> Continued Prosecution Application (CPA)               | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Declaration & POA ( _____ pgs)                        | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures                 | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____                              | <input type="checkbox"/> Response to Written Opinion ( _____ pgs)                 |
| <input type="checkbox"/> Fee Transmittal (in duplicate)                        | <input type="checkbox"/> Terminal Disclaimer                                      |
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 Susan McFarlane Date 2/13/2007

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  80398P560	
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.  February 13, 2007		In re Application of <b>Brant Candelore, et al.</b>	
Signature <u>Susan McFarlane</u> Typed or printed name <u>Susan McFarlane</u>		Application Number 10/815,484	Filed 03/31/2004
		For: Configurable CableCARD	
		Art Unit 2137	Examiner Techane Gergiso
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$500.00	
<input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2666</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.</b>			
I am the		Signature	
<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>William W. Schaal, Reg. No. 39,018</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a)		<u>02/13/07</u> Date	
NOTE. Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

Based on PTO/SB/31 (04-05) as modified by Blakely, Sokoloff, Taylor & Zelman (w/1) 11/30/2005.  
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